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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,074	03/28/2000	Michiaki Yoneda	Sony-T0349	5358

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
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EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/18/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/537,074

Applicant(s)

YONEDA, MICHIAKI

Examiner

Oanh L. Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 09 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim s 1, 13 and 15 recites the limitation "the file name" in line 7 (claim 1), in line 9 (claim 13), and line 7 (claim 15). There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsiao et al (Hsiao) (US 6,266,784 B1) in view of JP Kazu (JP 06153140 A).

Regarding claims 1, 13 and 15, Hsiao discloses a method for supplying information (see figs 1-2), comprising updating data in which data stored in an open storage area allowed to be freely accessed via a network is replaced with update data at a specified time (see col. 4 lines 7-21); backup data produced from the update data, said backup data is saved in a retrieval storage area (see col. 4 lines 7-36); and retrieving data from storage area, and the retrieved data is transferred via network to a

Art Unit: 2155

client which has requested the data (see cols. 6-7 lines 34-7 and col. 9 lines 6-18).

Hsiao does not teach file name is produced by adding data, which represents a date and time. However, Kazu teaches file name is produced by adding data, which represents a date and time (see page 1 paragraphs 5-6). Therefore, it would have been obvious to have used the generating file name step in Hsiao as taught by Kazu because such generating step would avoid a file name in duplicate by generating a name including processing data based on a date and a time as the file name.

Regarding claim 2, Hsiao teaches access to retrieval storage area via network is limited (see col. 4 lines 37-50).

Regarding claim 3, Hsiao teaches open storage area (40) and retrieval storage area (50) are formed in different directory of the same storage device (see fig. 1).

Regarding claim 4, Hsiao teaches copying update data (see col. 4 lines 7-37).

Regarding claim 5, Hsiao teaches produce different data stored in retrieval storage (see col. 4 lines 6-50).

Regarding claim 6, Hsiao does not teach file name added with data representing data and time. However, Kazu teaches file name added with data representing data and time (see page 1 paragraphs 5-6). Therefore, it would have been obvious to have used file name in Hsiao as taught by Kazu because such file name would avoid a file name in duplicate by generating a name including processing data based on a date and a time as the file name.

3, Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsiao et al (Hsiao) (US 6,266,784 B1) in view of Kazu (JP 06153140 A) in further view of Curtis et al (Curtis) (US 6,278,992 B1).

Regarding claim 7, the combination of teachings of Hsiao and Kazu does not teach the WWW server and index file as claimed. However, Curtis teaches Internet; updating, backing up and retrieving are performed by WWW server which supplies a web page via Internet; and update and backup data include an index file describing a link to another web page (see fig. 32 cols 23-23 lines 22-20). Therefore, it would have been obvious to have used the WWW server and index file in the combination of teachings of Hsiao and Kazu as taught by Curtis because such an indexing method would provide advantages to organizing the tremendous amount of information on the Internet and for searching such information in a fast and efficient process.

Regarding claims 8-11, Curtis further teaches index file is in the form of a HTML file; and image, audio or program linked to HTML file (see cols 23-24 lines 22-20).

4. Claims 12, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsiao et al (Hsiao) (US 6,266,784 B1) in view of Kazu (JP 06153140 A) in further view of Tarabella (US 5,796,945).

Regarding claims 12, 14 and 16, the combination of teachings of Hsiao and Kazu does not teach automatic updating as claimed. However, Tarabella teaches automatic updating step in which at a predetermined time of each day (see col.7 lines 29-39). Therefore, it would have been obvious to have used the automatically updating step in

Art Unit: 2155

the combination of teachings of Hsiao and Kazu as taught by Tarabella because such automatic updating step would allow the user to define the time for the automatic update on the selected days. This minimizes the on-line connect time.

Conclusion


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



O.D
April 15, 2003



AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.